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GENARO FRAGUA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 GENARO FRAGUA

15 Defendant.
16

Case No. 1:23-cr-00120-JLT-SKO

**STIPULATION TO CONTINUE STATUS
CONFERENCE; ORDER**

Date: January 17, 2024

Time: 1:00 p.m.

Judge: Hon. Sheila K. Oberto

17
18 IT IS HEREBY STIPULATED, by and between the parties through their respective
19 counsel, Assistant United States Attorney Stephanie M. Stokman, counsel for plaintiff, and
20 Assistant Federal Defender Griffin Estes, counsel for GENARO FRAGUA, that the Court may
21 continue the status conference in this case. The parties stipulate to continue the status conference
22 from January 17, 2024, to March 20, 2024.

23 The parties stipulate as follows:

24 1. By previous order, this matter was set for status on January 17, 2024.

25 2. By this stipulation, defendant now moves to continue the status conference until
26 January 17, 2024, and to exclude time between January 17, 2024, and March 20, 2024, under 18
27 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
28

1 3. The parties agree and stipulate, and request that the Court find the following:

2 a) The government has represented that the discovery associated with this case includes
3 reports, photographs, and audio files. All of this discovery has been either produced directly to
4 counsel and/or made available for inspection and copying, or is in the process of being produced.

5 b) Counsel for defendant desires additional time to review discovery, conduct any
6 investigation, and discuss this matter, including potential resolutions, with the defendant in order
7 to prepare for trial.

8 c) Counsel for defendant believes that failure to grant the above-requested continuance
9 would deny him/her the reasonable time necessary for effective preparation, taking into account
10 the exercise of due diligence.

11 d) The government does not object to the continuance.

12 e) Based on the above-stated findings, the ends of justice served by continuing the case as
13 requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et
16 seq., within which trial must commence, the time period of November 15, 2023 to
17 January 17, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A),
18 B(iv) [Local Code T4] because it results from a continuance granted by the Court at
19 defendants' request on the basis of the Court's finding that the ends of justice served by
20 taking such action outweigh the best interest of the public and the defendants in a speedy
21 trial.

22 g) The parties also agree that this continuance is necessary for several reasons, including
23 but not limited to, the need to permit time for the parties to exchange supplemental
24 discovery, engage in plea negotiations, and for the defense to continue its investigation
25 and preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Dated: January 11, 2024

/s/ Stephanie Stokman
STEPHANIE STOKMAN
Assistant United States Attorney
Attorney for Plaintiff

Dated: January 11, 2024

HEATHER E. WILLIAMS
Federal Defender

/s/ Griffin Estes
GRIFFIN ESTES
Assistant Federal Defender
Attorney for Defendant
GENARO FRAGUA

ORDER

IT IS SO AND ORDERED.

DATED: January 11, 2024

Sheila K. Oberto
Hon. Sheila K. Oberto
United States Magistrate Judge